

[4310-MR-P]

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Agency Information Collection Activities: Submitted for Office of Management and Budget (OMB) Review, Comment Request.

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of revision of an information collection (OMB Control Number 1010-0120).

SUMMARY: To comply with the Paperwork Reduction Act of 1995, we are soliciting comments on an information collection titled Solid Minerals Compliance and Management Process (current title - Solid Minerals Operational Model) which includes the Production and Royalty Report, MMS-4430. We have submitted an information collection request (ICR) to the Office of Management and Budget (OMB); OMB will act upon our request following the close of this comment period.

DATES: Submit written comments on or before [INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Submit written comments to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (OMB Control Number 1010-XXXX), 725 17th Street, NW, Washington, D.C. 20503. Also, submit copies of your written comments to Dennis C. Jones, Regulations and FOIA Team, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS

320B2, Denver, Colorado 80225. If you use an overnight courier service, our courier address is Building 85, Room A-613, Denver Federal Center, Denver, Colorado 80225.

PUBLIC COMMENT PROCEDURE: Submit your comments to the offices listed in the “ADDRESSES” section, or email your comments to us at

MRM.comments@mms.gov. Include the title of the information collection and the OMB Control Number in the “Attention” line of your comment; also, include your name and return address. Submit electronic comments as an ASCII file avoiding the use of special characters and any form of encryption. If you do not receive a confirmation that we have received your email, contact Mr. Jones at (303) 231-3046, FAX (303) 231-3385. We will post all comments at <http://www.rmp.mms.gov> for public review.

Also, contact Mr. Jones to review paper copies of the comments. The comments, including names and addresses of respondents, are available for public review during regular business hours at our offices in Lakewood, Colorado. Individual respondents may request that we withhold their home address from the public record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the public record a respondent’s identity, as allowable by law. If you request that we withhold your name and/or address, state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

FOR FURTHER INFORMATION CONTACT: Dennis C. Jones, Regulations and FOIA Team, phone (303) 231-3046, FAX (303) 231-3385, email

Dennis.C.Jones@mms.gov. A copy of the ICR will be available to you without charge upon request.

SUPPLEMENTARY INFORMATION:

Title: Solid Minerals Compliance and Management Process (current title - Solid Minerals Operational Model).

OMB Control Number: 1010-0120.

Bureau Form Number: MMS-4430.

Abstract: The Department of the Interior (DOI) is responsible for matters relevant to mineral resource development on Federal and Indian Lands and the Outer Continental Shelf (OCS). The Secretary of the Interior (Secretary) is responsible for managing the production of minerals from Federal and Indian Lands and the OCS; for collecting royalties from lessees who produce minerals; and for distributing the funds collected in accordance with applicable laws.

When a company or an individual enters into a contract or lease to develop, mine, and dispose of Federal or Indian minerals, that company or individual (the respondent) agrees to pay the appropriate royalty due based upon gross proceeds received from the sale of production from the leased lands. Royalty rates are specified in the lease agreement. Specific lease language varies; however, respondents agree by the lease terms to furnish statements providing the details of all operations conducted on a lease and the quantity and quality of all production from the lease at such times and in such form as the Secretary may prescribe. Rules require respondents to provide accurate,

complete, and timely reports for all minerals produced, in the manner and form prescribed by MMS in 30 CFR 210 Subpart E and 216.21.

In April 1996, MMS undertook a compliance reengineering initiative to examine the current compliance strategy and determine the best approach for the future. In April 1997, we decided to go beyond compliance reengineering and reengineer all of our core business processes. In November 1998, we decided to proceed with three operational models - offshore, onshore, and solid minerals, and we enlisted seven major coal-producing corporations that operated 19 coal mines that contain Federal and/or Indian leases to test our reengineered processes. The models also included a sand and gravel company operating two mines having Indian leases. We used the data reported from these mines to test the practicality, ease, and accuracy of new information collection reporting requirements. Our information collection request to collect and test these new reporting formats and frequencies for the Solid Minerals Operational Model was approved by OMB on August 20, 1999 (OMB 1010-0120, expiration date August 31, 2002).

Due to the success of this streamlined reporting method, we are proposing to expand the use of this information collection requirement to all solid mineral operators. Submission of this information collection will be mandatory. Proprietary information that is submitted is protected, and there are no questions of a sensitive nature included in this information collection.

Frequency: Monthly.

Estimated Number and Description of Respondents: 200 solid mineral lessees.

Estimated Annual Reporting and Recordkeeping “Hour” Burden: 1,360 hours.

Estimated Annual Reporting and Recordkeeping “Non-hour Cost” Burden: 1,600 hours.

Comments: The Paperwork Reduction Act, at 44 U.S.C. 3506(c)(2)(A), requires each agency “to provide notice ... and otherwise consult with members of the public and affected agencies concerning each proposed collection of information” Agencies must specifically solicit comments to: (a) evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

We published a Federal Register notice on August 3, 2000 (65 FR 47802, soliciting comments on this information collection. The comment period was opened for 60 days, and two comments were received.

This Federal Register notice opens a second public comment period, for 30 days, on this information collection. After the comment period closes, OMB will decide to either approve or disapprove this ICR. Therefore, for your comments to receive consideration, submit them on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The Paperwork Reduction Act provides that an agency shall not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

MMS Information Collection Clearance Officer: Jo Ann Lauterbach, (202) 208-7744

Date

Lucy Querques Denett
Associate Director
for Minerals Revenue Management